



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2892

DATE SCANNED 3/18/15

SCANNER NO. 2

SCAN OPERATOR SES



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FEDERAL ELECTION
COMMISSION
SECRETARIAT

2015 JAN 14 PM 2:18

January 14, 2015

MEMORANDUM

SENSITIVE

TO: The Commission

THROUGH: Alec Palmer *swd/for*
Staff Director

FROM: Patricia C. Orrock *PCO/DC*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: Kristin D. Roser *KDR*
Compliance Branch

SUBJECT: Reason to Believe Recommendation -
Failure to File 48-Hour Notices under the Administrative Fine Program

Attached is the name of a principal campaign committee that has failed to file 48-hour notices with the Commission for contributions of \$1,000.00 or more received from the close of books for the Indiana 2014 12 Day Pre-Primary Report up to 48 hours before the May 6, 2014 Primary Election in accordance with 52 U.S.C. § 30104 (formerly 2 U.S.C. § 434(a)) and 11 CFR § 104.5(f). The committee, Friends of Susan Brooks, represents a candidate who won the Primary Election. The committee is being referred for failing to file 48-hour notices for contributions totaling \$46,314.90.

A 48-hour notice is required to report all contributions of a \$1,000.00 or more, to any authorized committee of a candidate, including contributions from the candidate, loans from the candidate and other non-bank sources and endorsements or guarantees of loans from banks, as per 11 CFR § 104.5(f).

We have attached an information sheet which includes the contributor name, date of receipt, and amount of the contributions for which a 48-hour notice was not filed.

In accordance with the schedule of civil money penalties outlined within 11 CFR § 111.44, this committee should be assessed the civil money penalty so indicated.

1. Find reason to believe that Friends of Susan Brooks and Judith A. Christofolis, Treasurer, violated 52 U.S.C. § 30104 (formerly 2 U.S.C. § 434(a)) and make a preliminary determination that a civil money penalty of \$4,961 be assessed.
2. Send the appropriate letter.

MEMORANDUM

Contributions for Which a 48-Hour Notice Was Not Received

AF 2892

Committee ID: C00500207

Committee Name: Friends of Susan Brooks

Report Type: July Quarterly Report (4/17/14 – 6/30/14)

48-Hour Reporting Period: 4/17/14 – 5/3/14

CONTRIBUTOR	DATE	AMOUNT
BRALY, ANGELA F.	04/21/2014	\$1,714.90
BRALY, DOUGLAS	04/21/2014	\$1,000.00
HERRING, MALCOLM B.	04/21/2014	\$1,000.00
AMERICAN DENTAL PAC	04/22/2014	\$1,000.00
BANTA, CASSANDRA L.	04/22/2014	\$2,500.00
BANTA, RICHARD	04/22/2014	\$2,500.00
BEDEL, JR., ERIC J.	04/22/2014	\$2,600.00
BROWN, CONSTANCE D.	04/22/2014	\$1,000.00
CAINE, VIRGINIA	04/22/2014	\$1,000.00
CARROLL, ALEX	04/22/2014	\$2,600.00
CARROLL, LAURA DANA	04/22/2014	\$2,600.00
DANIELS, DEBORAH J.	04/22/2014	\$1,500.00
FRATERNITY & SORORITY PAC	04/22/2014	\$1,000.00
INDIANA ACRE PAC	04/22/2014	\$1,100.00
INDIANA FARM BUREAU INC. ELECT PAC	04/22/2014	\$5,000.00
INT'L ASSOC OF FIREFIGHTERS INTERESTED IN REG & EDUC PAC	04/22/2014	\$1,000.00
KOPS-BEDEL, ELAINE	04/22/2014	\$2,100.00
MILES, HELEN M.	04/22/2014	\$2,600.00
NAA PAC	04/22/2014	\$1,000.00
NATIONAL ASSOCIATION OF HOME BUILDERS PAC	04/22/2014	\$1,000.00
NATIONAL ASSOCIATION OF REALTORS PAC	04/22/2014	\$1,000.00
NATL RURAL ELECTRIC COOP ASSOC ACTION COMMITTEE FOR RURAL ELECTRIFICATION	04/22/2014	\$1,500.00
YADAV, SUDHANSU SAM	04/22/2014	\$1,000.00
DIRECTV GROUP, INC. FUND - FEDERAL	04/30/2014	\$2,500.00
SCALISE FOR CONGRESS	04/30/2014	\$2,500.00
WELLPOINT INC. WELLPAC	04/30/2014	\$2,000.00
TOTAL		\$46,314.90

Proposed Civil Money Penalty: \$4,961.00 ((3 Notices Not Filed at \$110 each) + (10% of the Overall Contributions Not Filed))

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Federal Election Commission
Reason to Believe Circulation Report
48-Hour Notification Report

AF#	Committee ID	Committee Name	State	Election	Candidate Name	Treasurer	Prev Violations	Notices Not Filed	LOA	Penalty
2892	C00500207	FRIENDS OF SUSAN BROOKS	IN	2014	BROOKS, SUSAN MRS.	CHRISTOFOLIS, JUDITH A MRS.	0	3	\$46,314	\$4,961

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation -) AF 2892
Failure to File 48-Hour Notices under the)
Administrative Fine Program: Friends of)
Susan Brooks and Judith A. Christofolis,)
Treasurer)

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election
Commission, do hereby certify that on January 15, 2015, the Commission
decided by a vote of 6-0 to take the following actions in AF 2892:

1. Find reason to believe that Friends of Susan Brooks and Judith A.
Christofolis, Treasurer, violated 52 U.S.C. § 30104 (formerly
2 U.S.C. § 434(a)) and make a preliminary determination that a civil
money penalty of \$4,961 be assessed.
2. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub
voted affirmatively for the decision.

Attest:

January 16, 2015
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 16, 2015

Mrs. Judith A Christofolis, in official capacity as Treasurer
Friends of Susan Brooks
9425 N. Meridian Street #237
Indianapolis, IN 46260

C00500207
AF#: 2892

Dear Mrs. Christofolis:

The Federal Election Campaign Act of 1971, as amended, 52 U.S.C. § 30101, *et seq.* (formerly 2 U.S.C. § 431) ("the Act"), requires principal campaign committees of candidates for federal office to notify in writing either the Secretary of the Senate or the Federal Election Commission ("FEC"), and the Secretary of State, as appropriate, of any contribution of \$1,000 or more, received by any authorized committee of the candidate after the 20th day, but more than 48 hours before, any election. 52 U.S.C. § 30104(a)(6)(A) (formerly 2 U.S.C. § 434(a)(6)(A)). The Act further requires notification to be made within 48 hours after the receipt of the contribution and to include the name of the candidate and office sought, the date of receipt, the amount of the contribution, and the identification of the contributor. *Id.* These notification requirements are in addition to all other reporting requirements. 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)). Our records indicate that Friends of Susan Brooks did not submit 48-Hour Notices for contributions of \$1,000 or more, received between April 21, 2014 and April 30, 2014, totaling \$46,314, as required by 52 U.S.C. § 30104(a)(6)(A) (formerly 2 U.S.C. § 434(a)(6)(A)). Attachment 1.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)). 52 U.S.C. § 30109(a)(4) (formerly 2 U.S.C. § 437g(a)(4)). On January 15, 2015, the FEC found that there is Reason to Believe ("RTB") that Friends of Susan Brooks and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) by failing to file the 48-Hour Notices. Based on the FEC's schedule of civil money penalties at 11 CFR § 111.44, the amount of your civil money penalty calculated at the RTB stage is \$4,961. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 2. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. The amount of the civil money penalty is \$110 for each non-filed notice plus 10 percent of the dollar amount of the contributions not timely reported. The civil money penalty increases by 25 percent for each prior violation. Send your payment of \$4,961 within forty (40) days of the finding, or by February 24, 2015.

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or February 24, 2015. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 52 U.S.C. § 30109 (formerly 2 U.S.C. § 437g). 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Friends of Susan Brooks and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate

3. If You Choose to Pay the Civil Money Penalty

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2) (formerly 2 U.S.C. § 437g(a)(2)). It will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) (formerly 2 U.S.C. § 437g(a)(4)(B)) and 30109(a)(12)(A) (formerly 437g(a)(12)(A)) until it is placed on the public record in accordance with 11 CFR § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact David Garr in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,

Jon M Ravel

**Ann M. Ravel
Chair**

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.44, the amount of your civil money penalty calculated at RTB is \$4,961 for the 2014 Primary Election 48-Hour Notification Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by February 24, 2015. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Friends of Susan Brooks

FEC ID#: C00500207

AF#: 2892

PAYMENT DUE DATE: February 24, 2015

PAYMENT AMOUNT DUE: \$4,961

Contributions for Which a 48-Hour Notice Was Not Received

AF 2892

Committee ID: C00500207

Committee Name: Friends of Susan Brooks

Report Type: July Quarterly Report (4/17/14 – 6/30/14)

48-Hour Reporting Period: 4/17/14 – 5/3/14

CONTRIBUTOR	DATE	AMOUNT
BRALY, ANGELA F.	04/21/2014	\$1,714.90
BRALY, DOUGLAS	04/21/2014	\$1,000.00
HERRING, MALCOLM B.	04/21/2014	\$1,000.00
AMERICAN DENTAL PAC	04/22/2014	\$1,000.00
BANTA, CASSANDRA L.	04/22/2014	\$2,500.00
BANTA, RICHARD	04/22/2014	\$2,500.00
BEDEL, JR., ERIC J.	04/22/2014	\$2,600.00
BROWN, CONSTANCE D.	04/22/2014	\$1,000.00
CAINE, VIRGINIA	04/22/2014	\$1,000.00
CARROLL, ALEX	04/22/2014	\$2,600.00
CARROLL, LAURA DANA	04/22/2014	\$2,600.00
DANIELS, DEBORAH J.	04/22/2014	\$1,500.00
FRATERNITY & SORORITY PAC	04/22/2014	\$1,000.00
INDIANA ACRE PAC	04/22/2014	\$1,100.00
INDIANA FARM BUREAU INC. ELECT PAC	04/22/2014	\$5,000.00
INT'L ASSOC OF FIREFIGHTERS INTERESTED IN REG & EDUC PAC	04/22/2014	\$1,000.00
KOPS-BEDEL, ELAINE	04/22/2014	\$2,100.00
MILES, HELEN M.	04/22/2014	\$2,600.00
NAA PAC	04/22/2014	\$1,000.00
NATIONAL ASSOCIATION OF HOME BUILDERS PAC	04/22/2014	\$1,000.00
NATIONAL ASSOCIATION OF REALTORS PAC	04/22/2014	\$1,000.00
NATL RURAL ELECTRIC COOP ASSOC ACTION COMMITTEE FOR RURAL ELECTRIFICATION	04/22/2014	\$1,500.00
YADAV, SUDHANSU SAM	04/22/2014	\$1,000.00
DIRECTV GROUP, INC. FUND - FEDERAL	04/30/2014	\$2,500.00
SCALISE FOR CONGRESS	04/30/2014	\$2,500.00
WELLPOINT INC. WELLPAC	04/30/2014	\$2,000.00
TOTAL		\$46,514.90

Proposed Civil Money Penalty: \$4,961.00 ((3 Notices Not Filed at \$110 each) + (10% of the Overall Contributions Not Filed))



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FEDERAL ELECTION
COMMISSION
SECRETARIAT

2015 FEB 25 PM 12:05

February 25, 2015

MEMORANDUM

SENSITIVE

TO: The Commission

THROUGH: Alec Palmer *alt for*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: Kristin D. Roser *KDR*
Reports Analysis Division
Compliance Branch

SUBJECT: Administrative Fine Program – Final Determination Recommendation for the
Failure to File 48-Hour Notices

Attached is a list identifying a political committee and its treasurer against which the Commission has found reason to believe (RTB) and assessed a proposed civil money penalty calculated at RTB for failure to file or failure to timely file the appropriate 48 Hour Notices for the Indiana 2014 Primary Election. The committee has paid the civil money penalty requested at RTB.

In accordance with 11 CFR § 111.34, the Commission shall send a final determination notice to the respondent that has paid the civil money penalty.

RAD Recommendation

- (1) Make a final determination that the political committee and its treasurer listed on the attached report violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess the final civil money penalty so indicated.
- (2) Send the appropriate letter.

Federal Election Commission
Final Determination Circulation Report
48-Hour Notification Report

2/24/2015 2:27 PM

AF#	Committee ID	Committee Name	State	Election	Candidate Name	Treasurer	Prev Violations	Notices Not Filed	LOA	RTB Date	RTB Penalty	FD Penalty	Date Paid	Amount Paid
2892	C00500207	FRIENDS OF SUSAN BROOKS	IN	2014	BROOKS, SUSAN MRS.	CHRISTOFOLIS, JUDITH A MRS.	0	3	\$48,314	01/15/2015	\$4,961	\$4,961	02/18/2015	\$4,961

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Administrative Fine Program - Final) AF 2892
Determination Recommendation for the)
Failure to File 48-Hour Notices: Friends)
of Susan Brooks and Mrs. Judith A.)
Christofolis, Treasurer)

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election
Commission, do hereby certify that on February 26, 2015, the Commission
decided by a vote of 6-0 to take the following actions in AF 2892:

1. Make a final determination that Friends of Susan Brooks and
Mrs. Judith A. Christofolis, Treasurer violated 52 U.S.C. § 30104(a)
(formerly 2 U.S.C. § 434(a)) and assess the final civil money penalty
in the amount of \$4,961.
2. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub
voted affirmatively for the decision.

Attest:

March 27, 2015
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 27, 2015

Mrs. Judith A. Christofolis, in official capacity as Treasurer
Friends of Susan Brooks
9425 N. Meridian Street #237
Indianapolis, IN 46260

C00500207
AF#: 2892

Dear Mrs. Christofolis:

On January 15, 2015, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Friends of Susan Brooks and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for failing to file 48-Hour Notices for contributions of \$1,000 or more, received between April 21, 2014 and April 30, 2014, totaling \$46,314. By letter dated January 16, 2015, the Commission notified you of the RTB finding and the civil money penalty calculated at the RTB stage totaling \$4,961 in accordance with the schedule of penalties at 11 CFR § 111.44.

On February 18, 2015, the FEC received payment of the civil money penalty calculated at the RTB stage. The FEC made a final determination on February 26, 2015 that Friends of Susan Brooks and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)), assessed a civil money penalty in the amount of \$4,961 in accordance with 11 CFR § 111.44 and voted to close the file.

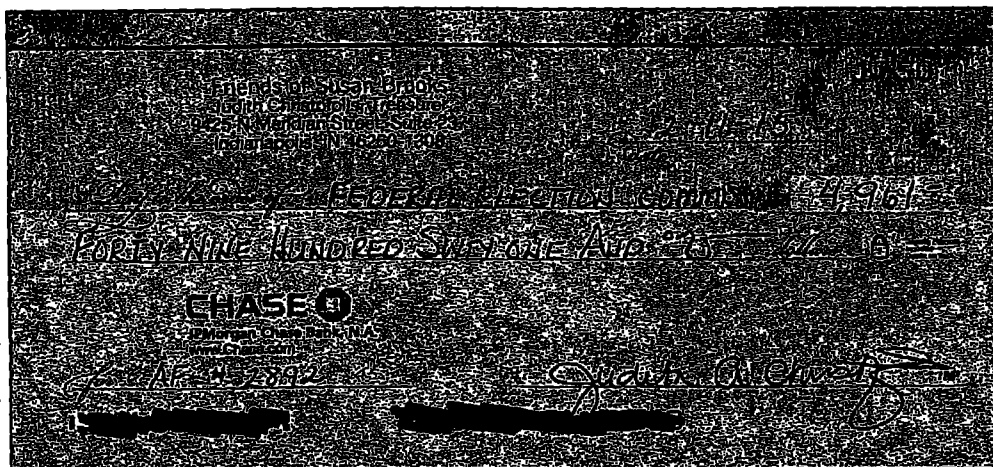
The confidentiality provisions at 52 U.S.C. § 30109(a)(12) (formerly 2 U.S.C. § 437g(a)(12)) no longer apply and this matter is now public. Pursuant to 11 CFR §§ 111.42(b) and 111.20(c), the file will be placed on the public record within thirty (30) days from the date of this notification.

If you have any questions regarding this matter, please contact David Garr on our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read "Ann M. Ravel".

Ann M. Ravel
Chair

usbank.St. Louis GA Lockbox
(314) 425-1818

Batch	Item	TID	Batch Total	Amount
1	1	Y-3053255	\$8,111.00	\$4,961.00

FOR: Friends of Susan Brooks

FEC ID#: C00500207

AF#: 2892

PAYMENT DUE DATE: February 24, 2015

PAYMENT AMOUNT DUE: \$4,961



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2892

DATE SCANNED

3/18/15

SCANNER NO.

2

SCAN OPERATOR

ΣΕΣ